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September 27, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

09/758,726

Re: U.S. Patent No. 6,790,200 B2
Issued September 14, 2004
Inventor Gary H. Fenton
Our Docket: 33038

Certificate
OCT 05 2004
of Correction

Sir/Madam:

A Certificate of Correction under 35 U.S.C. 254 is hereby requested to correct Patent Office printing errors in the above-identified patent. Enclosed herewith is a proposed Certificate of Correction (Form No. PTO/SB/44) for consideration.

It is requested that the Certificate of Correction be completed and mailed at an early date to the undersigned attorney of record. The proposed corrections are obvious ones and do not in any way change the sense of the application.

We understand that a check is not required since the errors were on the part of the Patent and Trademark Office in printing the patent. The proposed corrections are adding the word --directly-- in claims 1 and 6. A copy of the amendment filed February 10, 2004, supporting the changes made in the application, is enclosed.

Very truly yours,



Thomas P. Schiller, Reg. No. 20677

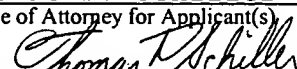
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Thomas P. Schiller

Name of Attorney for Applicant(s)

09/27/2004

Date



Signature of Attorney

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**

PATENT NO. : 6,790,200 B2
DATED : September 14, 2004
INVENTOR(S) : Gary H. Fenton

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Col. 4, line 3, after "being" insert --directly--.

Col. 4, line 7, after "being" insert --directly--.

Col. 4, line 34, after "being" insert --directly--.

Col. 4, line 38, after "being" insert --directly--.

Col. 4, line 25, after "being" insert --directly--.

MAILING ADDRESS OF SENDER: Thomas P. Schiller
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PATENT NO. 6,790,200 B2

No. of additional copies
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This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

OCT 2004

Appl. No. 09/758,726
Amdt. dated February 10, 2004
Reply to Office action of December 30, 2003



PATENT AF
RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 3761

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	:	09/758,726	Confirmation No. 8445
Applicant	:	Gary H. Fenton	
Filed	:	January 11, 2001	
Title	:	OSTOMY POUCH AND METHOD OF ASSEMBLY	
TC/A.U.	:	3761	
Examiner	:	Michele M. Kidwell	
Docket No.	:	33038	
Customer No.:	:	000116	

Mail Stop AMENDMENT AF
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

COPY

AMENDMENT AFTER FINAL UNDER RULE 116
(Filed in response to Paper No. 7)

Sir:

In response to the Office action of December 30, 2003, please amend the above identified application as follows.

Amendments to the Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Thomas P. Schiller
Name of Attorney for Applicant(s)

February 10, 2004
Date

Signature of Attorney

6 OCT 2004

The listing of claims will replace all prior versions, and listings, of claims in this application:

Listing of Claims:

Claims 1-10 (cancelled)

11. (currently amended) A mounting disc for an ostomy pouch comprising a flexible plastic disc having a convex central body portion and a surrounding annular rim, a first foam disc having first and second faces and having pressure-sensitive adhesive on each of said faces, said first foam disc having an outer diameter substantially corresponding to the outer diameter of said flexible plastic disc, the second face of said first foam disc being adhered to the convex central body portion and the surrounding annular rim of the plastic disc, a second foam disc having first and second faces and having pressure-sensitive adhesive on said first face of said second foam disc, said second foam disc having an outer diameter greater than the outer diameter of said flexible plastic disc, the second face of said second foam disc being directly adhered to the first face of said first disc, an adhesive skin barrier disc having an outer diameter substantially corresponding to the outer diameter of said second foam disc, said skin barrier disc being directly adhered to the first face of said second foam disc.

12. (original) A mounting disc according to claim 11 including diametrically opposed and radially extending mounting loops at a periphery of said flexible plastic disc.

13. (original) A mounting disc according to claim 12 wherein said mounting loops do not extend beyond the diameter of the skin barrier disc and the second foam disc.

14. (original) A mounting disc according to claim 11 wherein the skin barrier disc is an elastomer hydrocolloid mixture.

15. (original) A mounting disc according to claim 11 including a removable protective film covering another face of said skin barrier disc.

16. (currently amended) An ostomy appliance having a mounting disc adapted to the peristomal skin surfaces of an ostomate comprising a mounting disc and an ostomy pouch, said ostomy pouch comprising a flexible plastic disc having a convex central body portion and a surrounding annular rim, a first foam disc having first and second faces and having pressure-sensitive adhesive on each of said faces, said first foam disc having an outer diameter substantially corresponding to the outer diameter of said flexible plastic disc, the second face of said first foam disc being adhered to the convex central body portion and the surrounding annular rim of the plastic disc, a second foam disc having first and second faces and having pressure-sensitive adhesive on said first face of said second foam disc, said second foam disc having an outer diameter greater than the outer diameter of said flexible plastic disc, the second face of said second foam disc being directly adhered to the first face of said first disc, an adhesive skin barrier disc having an outer diameter substantially corresponding to the outer diameter of said second foam disc, said skin barrier disc being directly adhered to the first face of said second foam disc, and said ostomy pouch comprising proximal and distal sheets of plastic film sealed at their peripheries, said proximal sheet having a stoma inlet portal therein, said inlet portal having a diameter substantially corresponding to an inside diameter of the annular rim of said flexible plastic disc, said annular rim being directly sealed to said proximal sheet about a zone surrounding said portal.

17. (original) An ostomy appliance according to claim 16 including diametrically opposed and radially extending mounting loops at a periphery of said flexible plastic disc.

18. (original) An ostomy appliance according to claim 17 wherein said mounting loops do not extend beyond the diameter of the skin barrier disc and the second foam disc.

19. (original) An ostomy appliance according to claim 16 wherein the skin barrier disc is an elastomer hydrocolloid mixture.

20. (original) An ostomy appliance according to claim 16 including a removable protective film covering another face of said skin barrier disc.

REMARKS/ARGUMENTS

Claims 11, 15-16 and 20 were rejected under 35 USC 102 (b) as being anticipated by Nowak et al. Reconsideration and withdrawal of this rejection is respectfully requested in view of the amendments to these claims.

Specifically, claims 11 and 16 have been amended to state that the second face of the second foam disc is directly adhered to the first face of the first disc. The foam layer of Nowak et al is not adhered to a first face of a foam intermediate ring. Instead, the foam layer 18 and the foam intermediate ring 25 are separated by the support ring 24 and the faceplate 12. Further, if as stated by the Examiner, the first foam disc 25 has a face secured to the convex central body portion of the disc 24, the other face is secured to the barrier ring 26 and not to the second foam ring 18 either directly or indirectly.

Because Nowak et al does not include each and every limitation set forth in independent claims 11 and 16, it is respectfully submitted that Nowak et al does not anticipate such claims. Therefore, claims 11 and 16, and all of the claims dependent thereon, are allowable.

Claims 12-14 and 17-19 were rejected under 35 USC 103 (a) as being unpatentable over Nowak et al as applied to claims 11, 15-16, and 20, and further in view of Leise, Jr. et al. It is respectfully submitted that claims 12-14 and 17-19 depend from independent claims 11 and 16, respectively, which are believed to be allowable over Nowak et al for at least the reasons stated above. Leise, Jr. et al does not make up for the aforementioned deficiencies of Nowak et al. Accordingly, the combination of Nowak et al and Leise, Jr. et al does not make obvious claims 12-14 and 17-19.

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In light of the foregoing, it is submitted that the application is now in condition for allowance and notice to that effect is hereby requested.

If there are any fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 33038.

Respectfully submitted,
PEARNE & GORDON LLP

By: 
Thomas P. Schiller, Reg. No. 20677

1801 East 9th Street
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February 10, 2004

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